

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 13-10200-GAO

UNITED STATES OF AMERICA

v.

DZHOKHAR A. TSARNAEV,  
Defendant.

ORDER  
August 18, 2014

O'TOOLE, D.J.

The government made disclosure of affirmative expert discovery summaries pertaining to ballistics, fingerprint, blood, and DNA evidence on June 30, 2014. The defendant complains that the disclosure does not adequately identify what expert testimony the government “intends to use . . . during its case-in-chief at trial,” as required by Federal Rule of Criminal Procedure 16(a)(1)(G). After review of the index and summaries produced by the government, I agree and the motion (dkt. no. 440) is GRANTED to the extent that the government must identify the expert witnesses it presently intends to call during its case-in-chief at trial and provide summaries of their testimonies. Such summaries must meet the requirements set forth in Rule 16(a)(1)(G). To the extent the motion seeks further relief beyond this, the motion is DENIED.

The government’s compliance shall take place not later than September 2, 2014. The date by which the defendant shall serve *responsive*, as distinguished from affirmative, expert

disclosures as to ballistics, fingerprint, blood, and DNA evidence is postponed to October 3, 2014. The date for service of affirmative expert disclosures remains September 2, 2014.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge